

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY 8 D.C.
05 NOV -3 PM 4:27
CLERK U.S. DISTRICT COURT
W.D. OF TENN. JACKSON

BRANDI JAMES, DEBORAH)
BEECHAM, MELANIE HAGGARD,)
LEE ANN HOPPER, JEFFREY)
HORNER, ANN WOOD, TAMELA)
FLOWERS, DAVID SENNA,)
and others similarly situated,)

Plaintiffs,)

VS.)

No. 05-1219-T-An

SCOOTERS RESTAURANT AND)
DAIRY BAR, INC., et al.,)

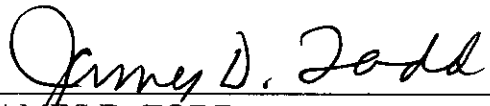
Defendants.)
)
)
)

ORDER GRANTING PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT
AND
ORDER OF REFERENCE ON DAMAGES


Plaintiffs have moved for a default judgment against Defendants. On October 28, 2005, the clerk of the court entered default against Defendants for failure to file an answer or any other responsive pleading. Rule 55 of the Federal Rules of Civil Procedure provides that "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter the party's default." Fed. R. Civ. P. 55(a).

Consequently, Plaintiffs' motion for default judgment is GRANTED. The matter is hereby REFERRED to Magistrate Judge S. Thomas Anderson for a hearing and report and recommendation on damages.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 13 in case 1:05-CV-01219 was distributed by fax, mail, or direct printing on November 8, 2005 to the parties listed.

Michael L. Russell
THE GILBERT LAW FIRM
2021 Greystone Park
Jackson, TN 38308

Justin Gilbert
THE GILBERT LAW FIRM
2021 Greystone Park
Jackson, TN 38308

Honorable James Todd
US DISTRICT COURT